

Before the
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

PERIODICALS CLASSIFICATION CHANGE, 1999

Docket No. MC99-3

INITIAL BRIEF OF THE NATIONAL FEDERATION OF NONPROFITS

In its May 14, 1999 Order Granting Postal Service Motion to Proceed Without Evidentiary Hearings, the Commission specified that it was not persuaded by three of NFN's arguments in favor of ordering a hearing: to explore the Postal Service's rationale with regard to not granting the refunds backdated to January 10, 1999; NFN's interpretation of the Life Time Fitness Order; and NFN's statement that the Postal Service has already accepted payment of the lower of Nonprofit and Regular rates from at least one mailer prior to the April date. *Commission Order at 7-8.*

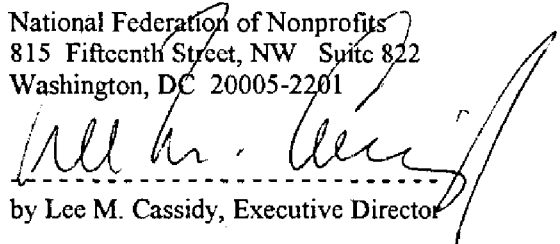
In its Order, the Commission took no notice of NFN's argument that the Postal Service, by the act of filing its Request, admitted to the impropriety of the rate "anomaly". Nor did the Commission take notice of NFN's statement that the rate was no less improper prior to April 9 than it was after the filing. *NFN Response at 4.*

It appears that, had NFN claimed that the rates in question were invalid rather than merely improper, and used the same language as AMMA, i.e., "invalid, *ab initio*", the Commission may have given more weight to NFN's argument. *Response of the Advertising Mail Marketing Association at 2.* Therefore, NFN accepts the AMMA terminology for purposes of this brief, adopts the AMMA arguments as its own, and supports the AMMA brief.

May 5, 1999

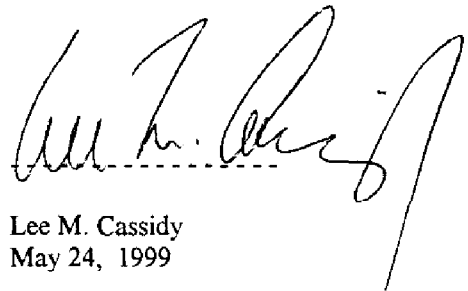
Respectfully submitted,

National Federation of Nonprofits
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by Lee M. Cassidy, Executive Director

CERTIFICATE OF SERVICE

I hereby certify that I have this date served copies of this filing with all known parties, including intervenors, in this Docket.


Lee M. Cassidy
May 24, 1999